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ONE HUNDRED SEVENTEENTH CONGRESS

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<http://veterans.house.gov>

January 13, 2022

Steven L. Lieberman, MD
Deputy to the Under Secretary for Health
Performing the Delegable Duties of the Under Secretary for Health
U.S. Department of Veterans Affairs
810 Vermont Ave., NW
Washington, DC 20420

Dear Dr. Lieberman:

We write to express our concern about findings contained in a Government Accountability Office (GAO) report, released today, which determined that the Veterans Health Administration (VHA) failed to exclude from participation in its Veterans Community Care Program approximately 1,600 healthcare providers who were deceased, ineligible to work with the federal government, or had revoked or suspended medical licenses at the time of the GAO review.¹ This put veterans at risk of receiving care from unqualified providers, and it put VHA at risk of making payments to fraudulent providers.

The GAO report found that VHA and the third-party administrators responsible for developing and managing its Community Care Network failed to perform adequate and complete checks using several exclusionary data sources, as required by federal statute and the VHA Office of Community Care's own standard operating procedures. As a result, GAO identified examples of healthcare providers remaining active in the Community Care Network, and therefore able to receive VA patient referrals, despite strong evidence of ineligibility. This included ineligibility based on previous healthcare fraud convictions, loss of medical licenses, and instances where providers appeared on the Social Security Administration's Death Master File (i.e., were deceased).

While the approximately 1,600 ineligible providers identified by GAO represent a small percentage of the Veterans Community Care Program's roughly 1.2 million active providers, they represent potential threats to veteran health and safety and risks for financial fraud. GAO

¹ U.S. Government Accountability Office, *Veterans Community Care Program: VA Should Strengthen Its Ability to Identify Ineligible Health Care Providers*, GAO-22-103850 (Washington, D.C.: December 17, 2021) (Available at <https://www.gao.gov/products/gao-22-103850>).

made 10 recommendations for corrective action, with which VHA concurred or concurred in principle. We intend to monitor closely VHA's planned implementation of the recommendations for full completion by the end of this year.

Further, we urge VA to review all ineligible providers identified by GAO and, as appropriate, deactivate them in the Community Care Network so veterans are not referred to them for care. Please provide a briefing for Committee staff by February 28, 2022, detailing the agency's progress on this review, actions addressing GAO's recommendations, and any further improvements under consideration by VHA, including improved monitoring of Community Care Program eligibility requirements.

Thank you in advance for your attention to this matter. Please direct any written response to this letter to Peter Tyler (peter.tyler@mail.house.gov) and Jon Clark (jon.clark@mail.house.gov), staff directors for the Subcommittee on Oversight & Investigations, and Elizabeth Mackenzie (elizabeth.mackenzie@mail.house.gov) and Christine Hill (christine.hill@mail.house.gov), staff directors for the Subcommittee on Health. Please also copy Ms. Kassie Stagner, Committee staff assistant, at kassie.stagner@mail.house.gov.

Sincerely,



Chris Pappas
Chairman
Subcommittee on Oversight & Investigations



Tracey Mann
Ranking Member
Subcommittee on Oversight & Investigations



Julia Brownley
Chairwoman
Subcommittee on Health



Jack Bergman
Ranking Member
Subcommittee on Health